

APPEAL NO: 06-19-00068-CV

**In the Court of Appeals
for the Sixth District of Texas**

FILED IN
6th COURT OF APPEALS
TEXARKANA, TEXAS
11/13/2019 10:46:42 AM
DEBBIE AUTREY
Clerk

Michael Kennedy, TDCJ #01516203
PLAINTIFF-APPELLANT,

v.

Kaycee Jones, et al.,
DEFENDANTS-APPELLEES.

**ON APPEAL FROM THE 258TH JUDICIAL DISTRICT COURT OF POLK COUNTY,
TEXAS**

APPELLEES' MOTION FOR EXTENSION

Chief Justice Nathan L. Hecht, Justice Paul W. Green, Justice Eva Guzman, Justice Debra Lehrmann, Justice Jeffrey S. Boyd, Justice John Phillip Devine, Justice Jeff Brown, Justice Jimmy Blacklock, Justice J. Brett Busby, Justice Leanne Johnson, Justice Hollis Horton, Chief Justice Steve McKeithen, Justice Charles Kreger, and Judge Kaycee Jones move for an extension of time to file their Appellees' Brief in the above-named case. The current deadline to file Appellees' Brief is November 18, 2019. Appellees seek a 20-day extension of this deadline to December 9, 2019.

This extension is not requested for contumacious or dilatory purposes. Counsel for Appellees received notice of the briefing deadline on October 30, 2019. Because Appellant Kennedy has not served Appellees with any of his filings in his appeal, counsel then had to work to obtain a copy of the Appellant's brief and then review the brief.

From October 31st until November 4th, counsel for Appellees was under immediate deadlines in other cases. Counsel for Appellees was thereafter out of the country starting November 4th and will return November 16th. Thus, an extension of this brief is necessary to allow time for Appellees and their counsel to review Appellant's brief and respond to the legal questions at issue in this appeal. This is the first extension requested.

CONCLUSION

Appellees respectfully request that this Court extend their deadline to file a responsive brief to December 9, 2019.

Respectfully submitted.

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NOTICE OF ELECTRONIC FILING

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, do hereby certify that I have electronically submitted for filing a true and correct copy of the foregoing in accordance with the File and Serve System of the Sixth Court of Appeals on November 13, 2019.

/s/ Courtney Corbello

COURTNEY CORBELLO
Assistant Attorney General

CERTIFICATE OF SERVICE

I, **COURTNEY CORBELLO**, Assistant Attorney General of Texas, certify that a true copy of the foregoing has been served by placing same in the United States Mail, first class, postage prepaid, on November 13, 2019, addressed to:

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RULE 9.4(i) CERTIFICATE OF COMPLIANCE

I certify that this computer-generated document, accounting for Rule 9.4(i)(1)'s inclusions and exclusions, is 233 words, as calculated by Microsoft Word 2016, the computer program used to prepare this document.

/s/ Courtney Corbello
COURTNEY CORBELLO
Assistant Attorney General